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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,650	12/15/2000	Eric Cohen-Solal	US000395	1565

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
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EXAMINER

YENKE, BRIAN P

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/738,650

Applicant(s)

COHEN-SOLAL, ERIC

Examiner

BRIAN P. YENKE

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment (06 Oct 04).
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Specification

2. In reference to the previous objection to the specification (page 18, line 8) which incorporates subject matter into the application, by referring to a US Application 09/743778, however this application number is titled "Epoxy Resin Composition And Process For Producing Silane-Modified Epoxy Resin". Thus the examiner requests the applicant to provide the correct application number of the US application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-8 and 10-11 are rejected under 35 U.S.C. 102(b) as being obvious over Applicant's Admitted Prior Art (AAPA).

In considering claims 1, 6-8 and 10-11,

a) the claimed a display... is met by AAPA (page 1, line 14 to page 3 line 6), where the AAPA states that prior art systems receive two streams and display a PIP on a primary image.

b) the claimed a processor... is met by AAPA where prior art systems automatically reposition the PIP in response to detected motion between one from of the video image and the next frame (page 2, line 18-21). AAPA does disclose the changing of a PIP display characteristic of an image to include the position of the PIP on the display and the display size of the PIP as disclosed by AAPA (pages 1-3).

Regarding the determining the characteristic being one of a continuous color portion and a continuous texture portion, AAPA discloses such features (page 10, 11 and 13-17). However, AAPA does not explicitly recite changing a PIP display characteristic in response to the presence of the color portion and/or texture portion.

AAPA does disclose that it is known to differentiate and segment different portions of an image since the importance of a scene is based upon the background (non-important) and the foreground (important).

Therefore, it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify AAPA which discloses the changing of a PIP display based on motion, by also changing the PIP display based upon the importance/non-importance of a scene(s) to ensure the viewer is able to view the desirable portions of an image.

In considering claims 3-5,

The analyzing of a picture signal in determining the cues (continuous color, text or person image being present) is conventional in the art, as disclosed by AAPA (page 10, line 20 to

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page 11, line 13; page 13, line 13-15; page 15, line 1-5; page 15 line 18 to page 16, line 10; and page 17, line 11-16).

3a. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of Rainville US 2002/0069411.

In considering claim 9,

AAPA does not specifically address the transparency of the PIP.

AAPA does disclose the changing of a PIP display characteristic of an image to include the position of the PIP on the display and the display size of the PIP as disclosed by AAPA (pages 1-3).

Although, the changing of the transparency of the PIP is conventional in the art, the examiner nonetheless incorporates Rainville et al., US 2002/0069411. Rainville discloses a system which renders the PIP image transparent in order to view the background image behind the PIP image.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to AAPA, which changes the position and/or size of the PIP based on the main picture signal, in order to provide the viewer an optimum display of one or more signals, by also rendering the PIP transparent as done by Rainville in to provide the user the ability to see the entire background image when the changing of position and/or size of the PIP does not adequately display the main picture signal.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure—please see newly cited references on attached form PTO-892.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John W. Miller, can be reached at (571)272-7352.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is
(703)305-HELP.

General information about patents, trademarks, products and services offered by the United States Patent and Trademark Office (USPTO), and other related information is available by contacting the USPTO's General Information Services Division at:

800-PTO-9199 or 703-308-HELP

(FAX) 703-305-7786

(TDD) 703-305-7785

An automated message system is available 7 days a week, 24 hours a day providing informational responses to frequently asked questions and the ability to order certain documents. Customer service representatives are available to answer questions, send materials or connect customers with other offices of the USPTO from 8:30 a.m. - 8:00p.m. EST/EDT, Monday-Friday excluding federal holidays.

For other technical patent information needs, the Patent Assistance Center can be reached through customer service representatives at the above numbers, Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

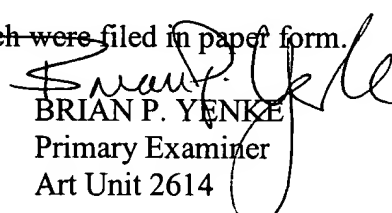
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The Patent Electronic Business Center (EBC) allows USPTO customers to retrieve data, check the status of pending actions, and submit information and applications. The tools currently available in the Patent EBC are Patent Application Information Retrieval (PAIR) and the Electronic Filing System (EFS).

PAIR (<http://pair.uspto.gov>) provides customers direct secure access to their own patent

application status information, as well as to general patent information publicly available. EFS allows customers to electronically file patent application documents securely via the Internet. EFS is a system for submitting new utility patent applications and pre-grant publication submissions in electronic publication-ready form. EFS includes software to help customers prepare submissions in extensible Markup Language (XML) format and to assemble the various parts of the application as an electronic submission package. EFS

also allows the submission of Computer Readable Format (CRF) sequence listings for pending biotechnology patent applications, which were filed in paper form.


BRIAN P. YENKE
Primary Examiner
Art Unit 2614


B.P.Y.

06 April 2005